

1  
2  
3  
4  
5  
6  
7  
8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 CONOR JAMES HARRIS,

11 Petitioner,

12 vs.

13 RENEE BAKER, *et al.*,

14 Respondents.  
15  
16  
17  
18

Case No. 3:14-cv-00516-RCJ-WGC

**ORDER**

19 Petitioner Conor James Harris has submitted a petition for a writ of habeas corpus pursuant to  
20 28 U.S.C. § 2254 (ECF #1-1) and has now paid the filing fee (*see* ECF #4).

21 Petitioner has also submitted a motion for appointment of counsel (ECF #1-22). There is no  
22 constitutional right to appointed counsel for a federal habeas corpus proceeding. *Pennsylvania v.*  
23 *Finley*, 481 U.S. 551, 555 (1987); *Bonin v. Vasquez*, 999 F.2d 425, 428 (9th Cir. 1993). The decision  
24 to appoint counsel is generally discretionary. *Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir. 1986),  
25 *cert. denied*, 481 U.S. 1023 (1987); *Bashor v. Risley*, 730 F.2d 1228, 1234 (9th Cir.), *cert. denied*, 469  
26 U.S. 838 (1984). However, counsel must be appointed if the complexities of the case are such that  
27 denial of counsel would amount to a denial of due process, and where the petitioner is a person of such  
28 limited education as to be incapable of fairly presenting his claims. *See Chaney*, 801 F.2d at 1196; *see*

1 *also Hawkins v. Bennett*, 423 F.2d 948 (8th Cir. 1970). Here, it appears that the claims may be  
2 somewhat complex. Additionally, petitioner is serving two consecutive life sentences without the  
3 possibility of parole. Accordingly, petitioner's motion for appointment of counsel is granted.

4 **IT IS THEREFORE ORDERED** that the Clerk **DETACH** and **FILE** the petition (ECF #1-1).

5 **IT IS FURTHER ORDERED** that the Clerk **DETACH** and **FILE** petitioner's motion for  
6 appointment of counsel (ECF #1-2).

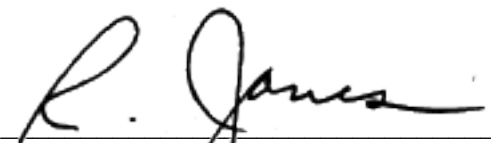
7 **IT IS FURTHER ORDERED** that petitioner's motion for appointment of counsel (ECF #1-2)  
8 is **GRANTED**.

9 **IT IS FURTHER ORDERED** that the Federal Public Defender for the District of Nevada  
10 ("FPD") is appointed to represent petitioner.

11 **IT IS FURTHER ORDERED** that the Clerk shall **ELECTRONICALLY SERVE** the FPD  
12 a copy of this order, together with a copy of the petition for writ of habeas corpus (ECF #1-1). The FPD  
13 shall have thirty (30) days from the date of entry of this order to file a notice of appearance or to indicate  
14 to the court its inability to represent petitioner in these proceedings.

15 **IT IS FURTHER ORDERED** that, after counsel has appeared for petitioner in this case, the  
16 court will issue a scheduling order, which will, among other things, set a deadline for the filing of a first  
17 amended petition.

18  
19  
20 Dated this 9th day of January, 2015.

21  
22  
23   
24 UNITED STATES DISTRICT JUDGE  
25  
26  
27  
28